

ASSEMBLY BILL 100

1 *~~0347/2.9~~* SECTION 2125. 250.05 (5) of the statutes is renumbered 440.70 (5)
2 and amended to read:

3 440.70 (5) REGISTRATION. ~~Except as provided in sub. (8m) and s. 250.041 s.~~
4 ~~440.12 or 440.13, the department, upon application on forms prescribed by it and~~
5 ~~payment of the prescribed fee, shall register as a sanitarian any person who satisfies~~
6 ~~the conditions in sub. (6) and who has presented evidence satisfactory to the~~
7 ~~department that sanitarian registration standards and qualifications of the~~
8 ~~department, as established by rule, have been met.~~

9 ✓ *b0055/2.3* SECTION 2126m. 250.05 (6) of the statutes is repealed.

PSH/GJS

10 ✓ *~~0347/2.11~~* SECTION 2127. 250.05 (7) of the statutes is renumbered 440.70
11 (7).

12 ✓ *~~0347/2.12~~* SECTION 2128. 250.05 (8) of the statutes is renumbered 440.70
13 (8) and amended to read:

14 440.70 (8) REVOCATION OF REGISTRATION. The department may, after a hearing
15 held in conformance with ch. 227, ~~except as provided in sub. (8m) (e), revoke or, deny,~~
16 ~~suspend, or limit~~ under this section subchapter the registration of any sanitarian,
17 or reprimand the sanitarian, for practice of fraud or deceit in obtaining the
18 registration or any ~~gross professional negligence~~ unprofessional conduct,
19 ~~incompetence, or misconduct~~ professional negligence.

20 ✓ *~~0347/2.13~~* SECTION 2129. 250.05 (8m) of the statutes is repealed.

21 ✓ *~~0347/2.14~~* SECTION 2130. 250.05 (9) of the statutes is repealed.

22 *~~0317/2.2~~* SECTION 2131. 250.10 of the statutes is renumbered 250.10 (intro.)

23 and amended to read:

24 250.10 Grant for dental services. (intro.) From the appropriation under
25 s. 20.435 (5) (de), the:

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SECTION 2131

1 (1) The department shall provide funding in each fiscal year to the Marquette
2 University School of Dentistry for clinical education of Marquette University School
3 of Dentistry students through the provision of dental services by the students and
4 faculty of the Marquette University School of Dentistry in underserved areas and to
5 underserved populations in the state, as determined by the department in
6 conjunction with the Marquette University School of Dentistry; to inmates of
7 correctional centers in Milwaukee County; and in clinics in the city of Milwaukee.
8 ~~Beginning July 1, 2000, the,~~

9 (2) The department shall also distribute in each fiscal year to qualified
10 applicants grants totaling \$25,000 for fluoride supplements, \$25,000 for a fluoride
11 mouth-rinse program, and \$60,000 \$120,000 for a school-based dental sealant
12 program.

13 *~~-0317/2.3~~* **SECTION 2132.** 250.10 (3) of the statutes is created to read:

14 250.10 (3) The department may provide funding to technical college district
15 boards to provide oral health services.

16 *~~-1987/1~~* **SECTION 2133.** 252.12 (2) (a) 8. of the statutes is amended to read:

17 252.12 (2) (a) 8. ~~Life~~ ^{strike} care and early intervention services. ^{PLAIN} Mike Johnson life ^{grants} The department
18 shall award not more than ~~\$1,994,900~~ ^{Score} \$2,569,900 in fiscal year 2001-02 ~~2005-06~~ and
19 ~~not more than \$2,069,900 in~~ each fiscal year thereafter in grants to applying
20 organizations for the provision of needs assessments; assistance in procuring
21 financial, medical, legal, social and pastoral services; counseling and therapy;
22 homecare services and supplies; advocacy; and case management services. These
23 services shall include early intervention services. The department shall also award
24 not more than \$74,000 in each year from the appropriation under s. 20.435 (7) (md)
25 for the services under this subdivision. The state share of payment for case

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SECTION 2133

1 management services that are provided under s. 49.45 (25) (be) to recipients of
2 medical assistance shall be paid from the appropriation under s. 20.435 (5) (am).

3 ***b0316/1.1* SECTION 2133c.** 253.07 (1) (c) of the statutes is created to read:

4 253.07 (1) (c) “Tribal health center” means a health center that is under the
5 direction and control of the governing body of a federally recognized American Indian
6 tribe or band.

7 ***b0316/1.1* SECTION 2133f.** 253.07 (2) (b) of the statutes is renumbered 253.07

8 (2) (b) 1.

9 ***b0316/1.1* SECTION 2133i.** 253.07 (2) (b) 2. of the statutes is created to read:

10 253.07 (2) (b) 2. In distributing the funds under subd. 1., the department shall
11 do all of the following:

12 a. Provide sufficient notice of the availability of the funds to enable local health
13 departments and tribal health centers to apply for the funds.

14 b. Give preference, in awarding funds, to applicants that are local health
15 departments or tribal health centers that will directly provide family planning
16 services.

17 c. Award the funds to applying local health departments or tribal health centers
18 that are qualified to provide family planning services.

19 ***b0316/1.1* SECTION 2133L.** 253.07 (2) (b) 3. of the statutes is created to read:

20 253.07 (2) (b) 3. The department may award any funds available, after award
21 has been made under subd. 2. c., to family planning agencies that apply and are
22 qualified to provide family planning services.

23 ***b0316/1.1* SECTION 2133n.** 253.07 (2) (d) of the statutes is amended to read:

24 253.07 (2) (d) The department shall encourage maximum coordination of
25 family planning services between county social services departments, family

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SECTION 2133n

1 planning agencies, tribal health centers, and local health departments to maximize
2 the use of health, social service and welfare resources.

3 *b0316/1.1* SECTION 2133p. 253.07 (4) (intro.) of the statutes is amended to
4 read:

5 253.07 (4) FAMILY PLANNING SERVICES. (intro.) ~~From~~ Subject to sub. (2) (b) 2. and
6 3., from the appropriation under s. 20.435 (5) (f), the department shall allocate funds
7 in the following amounts, for the following services:

8 *-0315/2.1* SECTION 2134. 254.15 (1) of the statutes is amended to read:

9 254.15 (1) Develop and implement a comprehensive statewide lead poisoning
10 or lead exposure prevention and treatment program that includes lead poisoning or
11 lead exposure prevention grants under s. 254.151; any childhood lead poisoning
12 screening requirement under rules promulgated under ss. 254.158 and 254.162; any
13 requirements regarding care coordination and follow-up for children with lead
14 poisoning or lead exposure required under rules promulgated under s. 254.164;
15 departmental responses to reports of lead poisoning or lead exposure under s.
16 254.166; any lead investigation requirements under rules promulgated under ss.
17 254.167; any lead inspection requirements under rules promulgated under 254.168;
18 any lead hazard reduction requirements under rules promulgated under s. 254.172;
19 certification, accreditation and approval requirements under ss. 254.176 and
20 254.178; any certification requirements and procedures under rules promulgated
21 under s. 254.179; and any fees imposed under s. 254.181.

22 *-0315/2.2* SECTION 2136. 254.166 (title) of the statutes is amended to read:

23 254.166 (title) ~~Departmental response~~ Response to reports of lead
24 poisoning or lead exposure.

25 *-0315/2.3* SECTION 2137. 254.166 (2) (d) of the statutes is amended to read:

1 254.166 (2) (d) Notify the owner of the dwelling or premises of the presence of
2 a lead hazard. The

3 (2m) If the department determines that a lead hazard is present in any
4 dwelling or premises, the local health department shall and the department may
5 issue an order that requires reduction or elimination of an imminent lead hazard
6 within 5 days after the order's issuance and reduction or elimination of other lead
7 hazards within 30 days after the order's issuance, except that, for orders that are
8 issued between October 1 and May 1 and that relate only to exterior lead hazards
9 that are not imminent lead hazards, the order may require elimination or reduction
10 of the lead hazard no earlier than the June 1 immediately following the order's
11 issuance. If the ~~department~~ agency that issued the order determines that the owner
12 has good cause for not complying with the order within the 5-day or 30-day time
13 period, ~~the department~~ the agency may extend the time period within which the
14 owner is required to comply with the order. The failure to comply with ~~the~~
15 ~~department's~~ an order within the time prescribed or as extended by ~~the department~~
16 shall be prima facie evidence of negligence in any action brought to recover damages
17 for injuries incurred after the time period expires. If an order to conduct lead hazard
18 reduction is issued by the department or by a local health department and if the
19 owner of the dwelling or premises complies with that order, there is a rebuttable
20 presumption that the owner of the dwelling or premises has exercised reasonable
21 care with respect to lead poisoning or lead exposure caused, after the order has been
22 complied with, by lead hazards covered by the order, except that with respect to
23 interim control activities the rebuttable presumption continues only for the period
24 for which the interim control activity is reasonably expected to reduce or eliminate
25 the lead hazard.

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SECTION 2138

1 ***-0315/2.4* SECTION 2138.** 254.166 (2) (e) of the statutes is renumbered
2 254.166 (2r) and amended to read:

3 254.166 (2r) ~~If an order is issued under par. (d),~~ The department may conduct
4 or require a certified lead risk assessor or other person certified under s. 254.176 to
5 conduct a lead investigation, a check of work completed, and dust tests for the
6 presence of hazardous levels of lead to ensure compliance with ~~the~~ an order issued
7 under sub. (2m).

8 ***-0315/2.5* SECTION 2141.** 254.171 of the statutes is repealed.

9 ***-0315/2.6* SECTION 2142.** 254.173 (3) (c) 1. of the statutes, as affected by 1999
10 Wisconsin Act 113, is amended to read:

11 254.173 (3) (c) 1. The owner receives an order under s. 254.166 ~~(2) (d)~~ (2m) and
12 fails to comply with the order.

13 ***-0315/2.7* SECTION 2143.** 254.179 (1) (c) 2. (intro.) of the statutes is amended
14 to read:

15 254.179 (1) (c) 2. (intro.) The standards limiting the length of validity of a
16 certificate of lead-safe status, including the condition of a premises, dwelling, or unit
17 of a dwelling, the type of lead hazard reduction activity that was performed, if any,
18 and any other requirements that must be met to maintain certification, unless the
19 certificate is earlier revoked because of erroneous issuance or because the premises,
20 dwelling, or unit of the dwelling is not safe from lead-bearing paint hazards. The
21 rules shall specify that the face of the certificate shall indicate the certificate's length
22 of validity. ~~The rules shall further specify that applications for certificates of~~
23 ~~lead-safe status for identical premises may be made only as follows:~~

24 ***-0315/2.8* SECTION 2144.** 254.179 (1) (c) 2. a., b. and c. of the statutes are
25 repealed.

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SECTION 2145

1 ***-1598/7.78* SECTION 2145.** 254.911 (1) of the statutes is amended to read:

2 254.911 (1) “Cigarette” has the meaning given in s. 139.30 ~~(1)~~ (1m).

3 ***b0202/P3.19* SECTION 2145g.** 254.92 (2m) of the statutes is created to read:

4 254.92 (2m) No person may purchase cigarettes on behalf of, or to provide to,
5 any person who is under 18 years of age. Any person who violates this subsection
6 may be:

7 (a) Required to forfeit not more than \$500 if the person has not committed a
8 previous violation within 30 months of the violation.

9 (b) Fined not more than \$500 or imprisoned for not more than 30 days or both
10 if the person has committed a previous violation within 30 months of the violation.

11 (c) Fined not more than \$1,000 or imprisoned for not more than 90 days or both
12 if the person has committed 2 previous violations within 30 months of the violation.

13 (d) Fined not more than \$10,000 or imprisoned for not more than 9 months or
14 both if the person has committed 3 or more previous violations within 30 months of
15 the violation. ✓

16 ***-0060/1.1* SECTION 2146.** 255.06 (2) (intro.) of the statutes is amended to
17 read:

18 255.06 (2) WELL-WOMAN PROGRAM. (intro.) From the appropriation under s.
19 20.435 (5) (cb), the department shall administer a well-woman program to provide
20 reimbursement for health care screenings, referrals, follow-ups, case management,
21 and patient education provided to low-income, underinsured, and uninsured
22 women. Reimbursement to service providers under this section shall be at the rate
23 of reimbursement for identical services provided under medicare, except that, if
24 projected costs under this section exceed the amounts appropriated under s. 20.435
25 (5) (cb), the department shall modify services or reimbursement accordingly. Within

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SECTION 2146

1 this limitation, the department shall implement the well-woman program to do all
2 of the following:

3 ***-0060/1.2* SECTION 2147.** 255.06 (2) (a) (intro.) of the statutes is renumbered
4 255.06 (2) (a) and amended to read:

5 255.06 (2) (a) *Breast cancer screening services.* Provide not more than \$422,600
6 in each fiscal year as reimbursement for the provision of breast cancer screening
7 services to women who are aged 40 years or older and whose income does not exceed
8 250 percent of the poverty line, by a hospital or organization that has a
9 mammography unit available for use and that is selected by the department under
10 procedures established by the department. ~~Recipients of services under this~~
11 ~~paragraph are subject to a copayment, payable to the service provider, for which the~~
12 ~~department shall reduce reimbursement to the service provider, as follows: The~~
13 department shall reduce reimbursement for a service provided under this paragraph
14 by the amount of any applicable 3rd-party coverage.

15 ***-0060/1.3* SECTION 2148.** 255.06 (2) (a) 1. to 3. of the statutes are repealed.

16 ***-0060/1.4* SECTION 2149.** 255.06 (2) (e) of the statutes is amended to read:

17 255.06 (2) (e) *Health care screening, referral, follow-up, case management, and*
18 *patient education.* Reimburse service providers for the provision of health care
19 screening, referral, follow-up, case management, and patient education to
20 low-income, underinsured, and uninsured women. ✓

21 ***b0314/2.4* SECTION 2149g.** 255.15 (3) (bm) of the statutes is created to read:

22 255.15 (3) (bm) From the appropriation under s. 20.435 (5) (fm), the
23 department shall distribute \$96,000 annually for programs to discourage use of
24 smokeless tobacco. ✓

25 ***b0314/2.4* SECTION 2149h.** 255.15 (3) (c) of the statutes is amended to read: ✓

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SECTION 2149h

1 255.15 (3) (c) No recipient of moneys distributed under par. (b) or (bm) may
2 expend more than 10% of those moneys for administrative costs.

3 ***-1330/1.1* SECTION 2151.** 281.58 (1) (cg) of the statutes is amended to read:

4 281.58 (1) (cg) "Market interest rate" ~~means the interest at the effective rate~~
5 ~~of a revenue obligation issued by the state to fund a project loan or a portion of a~~
6 ~~project loan under the clean water fund program~~ has the meaning given in s. 281.59
7 (1) (b).

8 ***-0460/1.1* SECTION 2152.** 281.58 (2m) (e) of the statutes is amended to read:

9 281.58 (2m) (e) Inspect periodically clean water fund project construction to
10 determine project compliance with construction plans and specifications ~~approved~~
11 ~~by the department~~ and the requirements of this section and s. 281.59 and, if
12 applicable, of 33 USC 1251 to 1376 and 33 USC 1381 to 1387 and the regulations
13 promulgated thereunder.

14 ***b0004/8.6* SECTION 2152s.** 281.58 (9) (a) of the statutes is amended to read:

15 281.58 (9) (a) After the department approves a municipality's facility plan
16 submitted under sub. (8s), the municipality shall submit an application for
17 participation to the department. The application shall be in such form and include
18 such information as the department and the department of administration prescribe
19 and shall include design plans and specifications ~~that are approvable by the~~
20 ~~department under this chapter.~~ The department shall review applications for
21 participation in the clean water fund program. The department shall determine
22 which applications meet the eligibility requirements and criteria under subs. (6), (7),
23 (8), (8m) and (13).

***NOTE: Inserts text that was mistakenly omitted from bill.

24 ***-0460/1.2* SECTION 2153.** 281.58 (9) (ae) of the statutes is amended to read:

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SECTION 2153

1 281.58 (9) (ae) A municipality that submits an application under par. (a)
2 without design plans and specifications may obtain an initial determination of
3 financial eligibility from the department of administration. The department of
4 natural resources may not approve a municipality's application until the
5 municipality submits approvable design plans and specifications.

6 *~~0460/1.3~~* SECTION 2154. 281.58 (15) (a) (intro.) and 1. of the statutes are
7 consolidated, renumbered 281.58 (15) (a) and amended to read:

8 281.58 (15) (a) The department and the department of administration may, at
9 the request of a municipality, issue a notice of financial assistance commitment to the
10 municipality after all of the following occur: 1. ~~The~~ the department approves the
11 municipality's application under sub. (9m) (a) and the department of administration
12 has allocated subsidy for the municipality's project.

13 *~~0460/1.4~~* SECTION 2155. 281.58 (15) (a) 2. of the statutes is repealed.

14 *~~1330/1.2~~* SECTION 2156. 281.59 (1) (b) of the statutes is amended to read:

15 281.59 (1) (b) "Market interest rate" means the ~~interest at the effective interest~~
16 ~~rate of a~~ on a fixed-rate revenue obligation issued by the state to fund a loan ~~or a~~
17 ~~portion of a loan for a project under the clean water fund program made under this~~
18 section or, for a variable rate obligation, the effective interest rate that the
19 department of administration determines would have been paid if the variable rate
20 obligation had been sold at a fixed rate.

21 *~~0462/1.3~~* SECTION 2157. 281.59 (3e) (b) 1. and 3. of the statutes are amended
22 to read:

23 281.59 (3e) (b) 1. Equal to \$90,000,000 \$109,600,000 during the 2003–05
24 2005–07 biennium.

25 3. Equal to \$1,000 for any biennium after the 2003–05 2005–07 biennium.

check for
and delete
extra space

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SECTION 2158

1 ***-0462/1.4*** SECTION 2158. 281.59 (3m) (b) 1. and 2. of the statutes are
2 amended to read:

3 281.59 (3m) (b) 1. Equal to ~~\$4,000,000~~ \$2,700,000 during the 2003-05 2005-07
4 biennium.

5 2. Equal to \$1,000 for any biennium after the 2003-05 2005-07 biennium.

6 ***-0462/1.5*** SECTION 2159. 281.59 (3s) (b) 1. and 2. of the statutes are amended
7 to read:

8 281.59 (3s) (b) 1. Equal to ~~\$12,800,000~~ \$10,800,000 during the 2003-05
9 2005-07 biennium.

10 2. Equal to \$1,000 for any biennium after the 2003-05 2005-07 biennium.

11 ***-1330/1.3*** SECTION 2160. 281.61 (1) (b) of the statutes is amended to read:

12 281.61 (1) (b) "Market interest rate" ~~means the interest at the effective rate of~~
13 ~~a revenue obligation issued by this state to fund a loan or portion of a loan for a clean~~
14 ~~water fund program project under s. 281.58~~ has the meaning given in s. 281.59 (1)
15 (b).

16

17

18 ***-1360/2.3*** SECTION 2192. 285.01 (17m) of the statutes is created to read:

19 285.01 (17m) "Entire facility" means all stationary sources that are under the
20 control of one person or under the control of persons who are under common control
21 and that are located on contiguous properties.

22 ***b0163/1.7*** SECTION 2192p. 285.66 (1) of the statutes is amended to read:

23 285.66 (1) CONSTRUCTION. Unless otherwise specified in the permit, a
24 construction permit, the authorization to construct, reconstruct, replace, or modify
25 a stationary source is valid for 18 months from the date of issuance of the permit

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SECTION 2192p

1 unless the permit is revoked or suspended. The department may extend the term of
2 the authorization in the construction permit for the purposes of commencing or
3 completing construction, reconstruction, replacement, or modification. Unless
4 otherwise specified in a construction permit, the department may only extend the
5 term of the authorization in the permit for up to 18 additional months beyond the
6 original 18-month period. If construction, reconstruction, replacement, or
7 modification is not completed within the term specified in the permit or any
8 extension granted by the department, the applicant shall apply for a new
9 construction permit. Notwithstanding the fact that authorization to construct,
10 reconstruct, replace, or modify a source expires under this subsection, all conditions
11 in a construction permit are permanent unless the conditions are revised through a
12 revision of the construction permit or through the issuance of a new construction
13 permit.

14 *b0163/1.7* SECTION 2192v. 285.69 (1) (a) of the statutes is renumbered 285.69
15 (1) (a) (intro.) and amended to read:

16 285.69 (1) (a) *Application for permit.* (intro.) Reviewing and acting upon any
17 application for a construction permit, except that the department may not impose
18 a fee on any of the following persons who apply for a construction permit:

19 *b0163/1.7* SECTION 2192w. 285.69 (1) (a) 1. to 3. of the statutes are created
20 to read:

21 285.69 (1) (a) 1. An owner or operator of an entire facility for which an operation
22 permit is required under s. 285.60 but not under the federal clean air act if the entire
23 facility is covered by a registration permit under s. 285.60 (2g).

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SECTION 2192w

1 2. An owner or operator of an entire facility for which an operation permit is
2 required under s. 285.60 but not under the federal clean air act if the entire facility
3 is covered by a general permit under s. 285.60 (3).

4 3. An owner or operator of an entire facility for which an operation permit is
5 required under s. 285.60 but not under the federal clean air act for which the
6 department has issued an operation permit, if the owner or operator has paid the fee
7 under sub. (2) (h) at any time before applying for the construction permit.

8 ***-1360/2.4* SECTION 2193.** 285.69 (1d) of the statutes is created to read:

9 285.69 (1d) REQUEST FOR WAIVER OF CONSTRUCTION PERMIT REQUIREMENT. An
10 owner or operator that requests a waiver under s. 285.60 (5m) of the requirement to
11 obtain a construction permit shall pay to the department a fee of \$300.

12 ***-1360/2.5* SECTION 2194.** 285.69 (1g) of the statutes is created to read:

13 285.69 (1g) ANNUAL FEES FOR OPERATION PERMIT EXEMPTION. The owner or
14 operator of a stationary source that is exempt from the requirement to obtain an
15 operation permit under s. 285.62 shall pay to the department a fee of \$300 per year
16 if the stationary source had actual emissions of a regulated pollutant in excess of 3
17 tons in the preceding year.

18 ***b0163/1.8* SECTION 2196d.** 285.69 (2) (c) (intro.) of the statutes is amended
19 to read:

20 285.69 (2) (c) (intro.) The fees collected under pars. (a) and (e) from the owner
21 or operator of a stationary source for which an operation permit is required under
22 the federal clean air act shall be credited to the appropriations under s. 20.370 (2)
23 (bg), (3) (bg), (8) (mg) and (9) (mh) for the following:

24 *delete extra space*

25 ***b0163/1.8* SECTION 2196g.** 285.69 (2) (f) of the statutes is created to read:

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SECTION 2196g

1 285.69 (2) (f) Notwithstanding pars. (a) and (e), the owner or operator of an
2 entire facility for which an operation permit is required under s. 285.60 but not under
3 the federal clean air act shall pay to the department a fee of \$1,100 for a year if the
4 preceding year was the first year in which the entire facility was covered by a
5 registration permit under s. 285.60 (2g). Paragraphs (a) and (e) apply in all other
6 years.

7 ***b0163/1.8* SECTION 2196h.** 285.69 (2) (g) of the statutes is created to read:

8 285.69 (2) (g) Notwithstanding pars. (a) and (e), the owner or operator of an
9 entire facility for which an operation permit is required under s. 285.60 but not under
10 the federal clean air act shall pay to the department a fee of \$2,300 for a year if the
11 preceding year was the first year in which the entire facility was covered by a general
12 permit under s. 285.60 (3) and the facility was first covered by an operation permit
13 after the effective date of this paragraph [revisor inserts date]. Paragraphs (a)
14 and (e) apply in all other years.

15 ***b0163/1.8* SECTION 2196i.** 285.69 (2) (h) of the statutes is created to read:

16 285.69 (2) (h) 1. Notwithstanding pars. (a) and (e), the owner or operator of an
17 entire facility for which an operation permit is required under s. 285.60 but not under
18 the federal clean air act may elect to pay the department a fee of \$7,500 for a year
19 if the entire facility was not covered by a registration operation permit under s.
20 285.60 (2g) or by a general operation permit under s. 285.60 (3) in the preceding year
21 and the owner or operator has not previously elected to pay the fee under this
22 subdivision. Paragraphs (a) and (e) apply in all other years.

23 2. Notwithstanding subd. 1. and pars. (a) and (e), for 2006 only, the owner or
24 operator of an entire facility for which an operation permit is required under s.
25 285.60 but not under the federal clean air act and that is not a synthetic minor source,

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SECTION 2196i

1 as defined in NR 407.02 (9), Wis. Adm. Code, shall pay a fee of \$300 if the entire
2 facility was not covered by a registration operation permit under s. 285.60 (2g) or by
3 a general operation permit under s. 285.60 (3) in 2005.

4 ***b0163/1.9* SECTION 2196j.** 285.69 (2) (i) of the statutes is created to read:

5 285.69 (2) (i) The fees collected under this subsection from the owner or
6 operator of a stationary source for which an operation permit is required under s.
7 285.60 but not under the federal clean air act and under sub. (1g) shall be credited
8 to the appropriation account under s. 20.370 (2) (bh) for the following purposes as
9 they relate to stationary sources for which an operation permit is required under s.
10 285.60 but not under the federal clean air act:

11 1. The costs of reviewing and acting on applications for operation permits;
12 implementing and enforcing operation permits except for court costs or other costs
13 associated with an enforcement action; monitoring emissions and ambient air
14 quality; preparing rules and materials to assist persons who are subject to the
15 operation permit program; ambient air quality modeling; preparing and
16 maintaining emission inventories; and any other direct and indirect costs of the
17 operation permit program.

18 2. Costs of any other activities related to stationary sources of air
19 contaminants.

20 ***-1362/1.2* SECTION 2198.** 287.26 of the statutes is created to read:

21 **287.26 Business waste reduction and recycling assistance.** The
22 department may contract with a nonprofit organization for services to assist
23 businesses to reduce the amount of solid waste generated or to reuse or recycle solid
24 waste. The department may not provide more than \$250,000 annually under a
25 contract under this section. The department may not provide funds under this

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SECTION 2198

1 section in an amount that exceeds 50 percent of the costs of the services to be provided
2 under the contract. The department shall include in any contract under this section
3 goals and objectives for the services to be provided, methods to measure progress
4 toward the goals and objectives, and a schedule for reporting to the department on
5 the use of funds and progress towards the goals and objectives.

6 ***b0132/2.2* SECTION 2198t.** 289.64 (3) of the statutes is amended to read:

7 289.64 (3) AMOUNT OF SOLID WASTE FACILITY SITING BOARD FEE. The fee imposed
8 under this section is ~~1.7~~ 0.7 cents per ton for solid waste or hazardous waste.

9 ***b0197/2.1* SECTION 2198x.** 289.645 (3) of the statutes is amended to read:

10 289.645 (3) AMOUNT OF RECYCLING FEE. The fee imposed under this section is
11 \$3 ~~\$2.25~~ per ton for all solid waste other than high-volume industrial waste.

12 ***-1612/3.1* SECTION 2199.** 289.645 (4) (e) of the statutes is created to read:

13 289.645 (4) (e) The recycling fee does not apply to waste material that is
14 removed from recycled materials intended for use as recycled fiber by a person that
15 makes paper, pulp, or paperboard from wastepaper, if the waste material cannot be
16 used to make paper, pulp, or paperboard.

17 ***-0455/1.2* SECTION 2202.** 292.57 (2) (b) of the statutes is amended to read:

18 292.57 (2) (b) Any moneys collected under this subsection shall be credited to
19 the appropriation account under s. 20.370 (2) (~~mi~~) (dh).

20 ***b0283/2.1* SECTION 2203m.** 301.067 of the statutes is created to read:

21 **301.067 Funding for certain community reintegration services.** From
22 the appropriation under s. 20.410 (1) (d), the department shall provide \$50,000 each
23 fiscal year to Madison-area Urban Ministry, Inc., and \$50,000 each fiscal year to
24 Project Return for community reintegration services.

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SECTION 2204

1 *–1513/4.20* SECTION 2204. 301.235 (2) (a) (intro.) of the statutes is amended
2 to read:

3 301.235 (2) (a) (intro.) In order to provide new buildings and to enable the
4 construction and financing thereof, to refinance indebtedness created by a nonprofit
5 corporation for the purpose of providing a new building or buildings or additions or
6 improvements thereto which are located on land owned by, or owned by the state and
7 held for, the department or on lands of the institutions under the jurisdiction of the
8 department or owned by the nonprofit corporation, or for any one or more of those
9 purposes, but for no other purpose unless authorized by law, the department, subject
10 to s. 16.848, has the following powers and duties:

11 *–1513/4.21* SECTION 2205. 301.235 (2) (a) 1. of the statutes is amended to
12 read:

13 301.235 (2) (a) 1. Without limitation by reason of any other statute except s.
14 16.848, the power to sell and to convey title in fee simple to a nonprofit corporation
15 any land and any existing buildings thereon owned by, or owned by the state and held
16 for, the department or any of the institutions under the jurisdiction of the
17 department for such consideration and upon such terms and conditions as in the
18 judgment of the secretary are in the public interest.

19 *–1513/4.22* SECTION 2206. 301.24 (4) of the statutes is amended to read:

20 301.24 (4) SALES. The Except where a sale occurs under s. 16.848, the
21 department, with the approval of the building commission, may sell and convey such
22 lands under the jurisdiction of the department as the secretary deems to be in excess
23 of the present or future requirements of the department for either the operation of
24 its facilities or programs, for the maintenance of buffer zones adjacent to its facilities

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SECTION 2206

1 or for other public purposes. The proceeds of the sales shall be credited to the state
2 building trust fund.

3 *-1513/4.23* SECTION 2207. 301.24 (4m) of the statutes is amended to read:

4 301.24 (4m) CORRECTIONAL INSTITUTION PROPERTY DISPOSITION. In addition to
5 any other requirements under this section, except where a sale occurs under s.
6 16.848, the department may sell or otherwise transfer or dispose of the property
7 acquired for the correctional institution under s. 46.05 (1o), 1985 stats., only if the
8 sale, transfer or disposition is approved by the joint committee on finance. The
9 department shall submit a plan for any such proposed sale, transfer or disposition
10 to the committee.

11 *-1513/4.24* SECTION 2208. 301.25 of the statutes is amended to read:

12 301.25 Sewer system at Taycheedah Correctional Institution. The
13 department, with the approval of the governor, may enter into an agreement
14 containing terms, conditions and covenants approved by the building commission,
15 to participate in the construction of a sanitary sewer system in the area adjacent to
16 the Taycheedah Correctional Institution in the town of Taycheedah, Fond du Lac
17 County; to connect the sewer system of the Taycheedah Correctional Institution
18 thereto; to pay sewage disposal charges; and to grant easements or, subject to s.
19 16.848, convey land to meet construction requirements.

20 *delete xtra space*

21 *b0188/2.2* SECTION 2209d. 301.26 (4) (d) 2. of the statutes is amended to
22 read:

23 301.26 (4) (d) 2. Beginning on July 1, 2003 2005, and ending on June 30, 2004
24 2006, the per person daily cost assessment to counties shall be \$183 \$203 for care in
25 a Type 1 secured correctional facility, as defined in s. 938.02 (19), \$183 \$203 for care

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SECTION 2209d

1 for juveniles transferred from a juvenile correctional institution under s. 51.35 (3),
2 ~~\$225~~ \$234 for care in a residential care center for children and youth, ~~\$142~~ \$157 for
3 care in a group home for children, \$47 for care in a foster home, ~~\$88~~ \$83 for care in
4 a treatment foster home, ~~\$86~~ \$81 for departmental corrective sanctions services, and
5 ~~\$25~~ \$32 for departmental aftercare services.

6 *b0188/2.2* SECTION 2210d. 301.26 (4) (d) 3. of the statutes is amended to
7 read:

8 301.26 (4) (d) 3. Beginning on July 1, ~~2004~~ 2006, and ending on June 30, ~~2005~~
9 2007, the per person daily cost assessment to counties shall be ~~\$187~~ \$209 for care in
10 a Type 1 secured correctional facility, as defined in s. 938.02 (19), ~~\$187~~ \$209 for care
11 for juveniles transferred from a juvenile correctional institution under s. 51.35 (3),
12 ~~\$239~~ \$244 for care in a residential care center for children and youth, ~~\$149~~ \$163 for
13 care in a group home for children, ~~\$49~~ \$50 for care in a foster home, ~~\$92~~ \$87 for care
14 in a treatment foster home, ~~\$87~~ \$82 for departmental corrective sanctions services,
15 and ~~\$26~~ \$33 for departmental aftercare services.

16 *b0190/4.2* SECTION 2210m. 301.26 (5) of the statutes is created to read:

17 301.26 (5) REVENUE SUFFICIENCY. (a) Before the close of each odd-numbered
18 fiscal year, the department of corrections shall project the balance that will remain
19 in the appropriation account under s. 20.410 (3) (hm) on June 30 of that fiscal year
20 and provide that information to the department of administration.

21 (b) 1. If the department of corrections projects under par. (a) that there will be
22 a deficit in the appropriation account under s. 20.410 (3) (hm) on June 30 of an
23 odd-numbered year, the department of administration shall include the amount of
24 that projected deficit in the cost basis used to calculate the per person daily cost
25 assessments under sub. (4) (d) 2. and 3. for care in a Type 1 secured correctional

ASSEMBLY BILL 100**SECTION 2210m**

1 facility, as defined in s. 938.02 (19), for the next fiscal biennium by adding 50% of that
2 projected deficit to the cost basis used to determine the per person daily cost
3 assessment under sub. (4) (d) 2. for care in a Type 1 secured correctional facility, as
4 defined in s. 938.02 (19), for the first year of the next fiscal biennium and by adding
5 50% of that projected deficit to the cost basis used to determine the per person daily
6 cost assessment under sub. (4) (d) 3. for care in a Type 1 secured correctional facility,
7 as defined in s. 938.02 (19), for the 2nd year of the next fiscal biennium.

8 2. The secretary of administration shall place in unallotted reserve and use to
9 recoup the projected deficit specified in subd. 1. all moneys generated by the
10 increases in the per person daily cost assessments specified in subd. 1. that result
11 from adding that projected deficit to the cost basis specified in subd. 1.

12 (c) If on June 30 of the odd-numbered year of the next fiscal biennium the
13 moneys placed in unallotted reserve under par. (b) 2. exceed the amount of the actual
14 deficit on June 30 of the odd-numbered year of the fiscal biennium in which that
15 deficit was incurred, all moneys in excess of that actual deficit shall be remitted to
16 the counties or transferred to the appropriation account under s. 20.410 (3) (kx) by
17 September 30 of that odd-numbered year. Each county and the department shall
18 receive a proportionate share of the remittance and transfer depending on the total
19 number of days of placement at Type 1 secured correctional facilities, as defined in
20 s. 938.02 (19), for each county and the state during that next fiscal biennium.
21 Counties shall use any amounts remitted under this paragraph for the purposes
22 specified in this section. The department shall deposit in the general fund the
23 amounts transferred under this paragraph to the appropriation account under s.
24 20.410 (3) (kx).

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SECTION 2211

1 ***-0249/2.1* SECTION 2211.** 301.26 (7) (intro.) of the statutes is amended to
2 read:

3 301.26 (7) ALLOCATIONS OF FUNDS. (intro.) Within the limits of the availability
4 of federal funds and of the appropriations under s. 20.410 (3) (cd) and (ko), the
5 department shall allocate funds for community youth and family aids for the period
6 beginning on July 1, 2003 2005, and ending on June 30, 2005 2007, as provided in
7 this subsection to county departments under ss. 46.215, 46.22, and 46.23 as follows:

8 ***-0249/2.2* SECTION 2212.** 301.26 (7) (a) of the statutes is amended to read:

9 301.26 (7) (a) For community youth and family aids under this section,
10 amounts not to exceed \$44,145,100 for the last 6 months of 2003 2005, \$88,290,200
11 for 2004 2006, and \$44,145,100 for the first 6 months of 2005 2007.

12 ***-0249/2.3* SECTION 2213.** 301.26 (7) (b) (intro.) of the statutes is amended to
13 read:

14 301.26 (7) (b) (intro.) Of the amounts specified in par. (a), the department shall
15 allocate \$2,000,000 for the last 6 months of 2003 2005, \$4,000,000 for 2004 2006, and
16 \$2,000,000 for the first 6 months of 2005 2007 to counties based on each of the
17 following factors weighted equally:

18 ***-0249/2.4* SECTION 2214.** 301.26 (7) (c) of the statutes is amended to read:

19 301.26 (7) (c) Of the amounts specified in par. (a), the department shall allocate
20 \$1,053,200 for the last 6 months of 2003 2005, \$2,106,500 for 2004 2006, and
21 \$1,053,300 for the first 6 months of 2005 2007 to counties based on each of the factors
22 specified in par. (b) 1. to 3. weighted equally, except that no county may receive an
23 allocation under this paragraph that is less than 93% nor more than 115% of the
24 amount that the county would have received under this paragraph if the allocation
25 had been distributed only on the basis of the factor specified in par. (b) 3.

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SECTION 2215

1 *-0249/2.5* SECTION 2215. 301.26 (7) (e) of the statutes is amended to read:

2 301.26 (7) (e) For emergencies related to community youth and family aids
3 under this section, amounts not to exceed \$125,000 for the last 6 months of 2003
4 2005, \$250,000 for 2004 2006, and \$125,000 for the first 6 months of 2005 2007. A
5 county is eligible for payments under this paragraph only if it has a population of not
6 more than 45,000.

7 *-0249/2.6* SECTION 2216. 301.26 (7) (h) of the statutes is amended to read:

8 301.26 (7) (h) For counties that are participating in the corrective sanctions
9 program under s. 938.533 (2), \$1,062,400 in the last 6 months of 2003 2005,
10 \$2,124,800 in 2004 2006, and \$1,062,400 in the first 6 months of 2005 2007 for the
11 provision of corrective sanctions services for juveniles from that county. In
12 distributing funds to counties under this paragraph, the department shall determine
13 a county's distribution by dividing the amount allocated under this paragraph by the
14 number of slots authorized for the program under s. 938.533 (2) and multiplying the
15 quotient by the number of slots allocated to that county by agreement between the
16 department and the county. The department may transfer funds among counties as
17 necessary to distribute funds based on the number of slots allocated to each county.

18 *-0249/2.7* SECTION 2217. 301.26 (8) of the statutes is amended to read:

19 301.26 (8) ALCOHOL AND OTHER DRUG ABUSE TREATMENT. From the amount of the
20 allocations specified in sub. (7) (a), the department shall allocate \$666,700 in the last
21 6 months of 2003 2005, \$1,333,400 in 2004 2006, and \$666,700 in the first 6 months
22 of 2005 2007 for alcohol and other drug abuse treatment programs.

****NOTE: This is reconciled s. 301.263 (1). This SECTION has been affected by drafts
with the following LRB #s: LRB-1624/1 and LRB-1670/3.

****NOTE: This is reconciled s. 301.263 (2). This SECTION has been affected by drafts
with the following LRB #s: LRB-1624/1 and LRB-1670/3.

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SECTION 2221m

1 ***b0136/3.8* SECTION 2221m.** 301.265 (title) of the statutes is created to read:

2 **301.265 (title) Diversion of youth from gang activities.**

3 ***b0281/2.1* SECTION 2221m.** 301.289 of the statutes is created to read:

4 **301.289 Unit supervisor positions.** The department may not employ a unit
5 supervisor or a person having comparable duties to supervise correctional
6 institution security staff unless the person directly reports to the institution's
7 security director.

****NOTE: This is reconciled s. 301.263 (3). This SECTION has been affected by drafts
with the following LRB #: LRB-1624/1 and LRB-1670/3.

8 ***-1417/P4.4* SECTION 2222.** 301.32 (1) of the statutes is amended to read:

9 **301.32 (1) PROPERTY DELIVERED TO WARDEN OR SUPERINTENDENT; CREDIT AND DEBIT.**

10 All money and other property delivered to an employee of any state correctional
11 institution for the benefit of a prisoner or resident shall be delivered to the warden
12 or superintendent, who shall enter the property upon his or her accounts to the credit
13 of the prisoner or resident. The property may be used only under the direction and
14 with the approval of the superintendent or warden and for the crime victim and
15 witness assistance surcharge under s. 973.045 (4), ^{e delete xtra space} the delinquency victim and
16 witness assistance surcharge under s. 938.34 (8d) (c), the deoxyribonucleic acid
17 analysis surcharge under s. 973.046, the drug offender diversion surcharge under s.
18 973.043, or the benefit of the prisoner or resident. If the money remains uncalled for
19 for one year after the prisoner's or resident's death or departure from the state
20 correctional institution, the superintendent shall deposit it in the general fund. If
21 any prisoner or resident leaves property, other than money, uncalled for at a state
22 correctional institution for one year, the superintendent shall sell the property and
23 deposit the proceeds in the general fund, donate the property to a public agency or

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SECTION 2222

1 private, nonprofit organization or destroy the property. If any person satisfies the
2 department, within 5 years after the deposit, of his or her right to the deposit, the
3 department shall direct the department of administration to draw its warrant in
4 favor of the claimant and it shall charge the same to the appropriation made by s.
5 20.913 (3) (bm).

6 ***-0251/1.2* SECTION 2223.** 301.45 (10) of the statutes is created to read:

7 301.45 (10) The department may require a person who must register as a sex
8 offender and who is in its custody or on probation, parole, or extended supervision
9 to pay an annual fee to partially offset its costs in monitoring persons on probation,
10 parole, or extended supervision. The department shall establish any such fee by rule,
11 but the fee may not exceed \$50.

12 ***-1513/4.25* SECTION 2225.** 302.04 of the statutes is amended to read:

13 **302.04 Duties of warden and superintendents.** The Except as provided in
14 s. 16.848, the warden or the superintendent of each state prison shall have charge
15 and custody of the prison and all lands, belongings, furniture, implements, stock and
16 provisions and every other species of property within the same or pertaining thereto.
17 The warden or superintendent shall enforce the ~~regulations~~ rules of the department
18 for the administration of the prison and for the government of its officers and the
19 discipline of its inmates.

20 ***b0263/2.1* SECTION 2226m.** 302.05 (1) of the statutes is renumbered 302.05
21 (1) (a).

22 ***b0263/2.1* SECTION 2227m.** 302.05 (1) (c) of the statutes is created to read:

23 302.05 (1) (c) The Robert E. Ellsworth Correctional Center shall provide a
24 substance abuse treatment program for inmates for the purposes of the earned
25 release program described in sub. (3).

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SECTION 2228

1 ***-1660/3.3* SECTION 2228.** 302.05 (3) (b) of the statutes is amended to read:

2 302.05 (3) (b) Except as provided in par. (d), if the department determines that
3 an eligible inmate serving a sentence other than one imposed under s. 973.01 has
4 successfully completed ~~the~~ a treatment program described in sub. (1), the parole
5 commission shall parole the inmate for that sentence under s. 304.06, regardless of
6 the time the inmate has served. If the parole commission grants parole under this
7 paragraph, it shall require the parolee to participate in an intensive supervision
8 program for drug abusers as a condition of parole.

9 ***-1660/3.4* SECTION 2229.** 302.05 (3) (c) 1. of the statutes is amended to read:

10 302.05 (3) (c) 1. Except as provided in par. (d), if the department determines
11 that an eligible inmate serving the term of confinement in prison portion of a
12 bifurcated sentence imposed under s. 973.01 has successfully completed ~~the~~ a
13 treatment program described in sub. (1), the department shall inform the court that
14 sentenced the inmate.

15 ***-1660/3.5* SECTION 2230.** 302.05 (3) (c) 2. (intro.) of the statutes is amended
16 to read:

17 302.05 (3) (c) 2. (intro.) Upon being informed by the department under subd.
18 1. that an inmate whom the court sentenced under s. 973.01 has successfully
19 completed ~~the~~ a treatment program described in sub. (1), the court shall modify the
20 inmate's bifurcated sentence as follows:

21 ***-1660/3.6* SECTION 2231.** 302.05 (3) (d) of the statutes is amended to read:

22 302.05 (3) (d) The department may place intensive sanctions program
23 participants in ~~the~~ a treatment program described in sub. (1), but pars. (b) and (c)
24 do not apply to those participants.

25 ***-1417/P4.5* SECTION 2232.** 302.12 (2) of the statutes is amended to read:

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SECTION 2232

1 302.12 (2) Money accruing under this section remains under the control of the
2 department, to be used for the crime victim and witness assistance surcharge under
3 s. 973.045 (4), ~~the~~ ^{STET: leave as typed} deoxyribonucleic acid analysis surcharge under s. 973.046, ~~the~~
4 drug offender diversion surcharge under s. 973.043, and the benefit of the inmate or
5 the inmate's family or dependents, under rules promulgated by the department as
6 to time, manner and amount of disbursements. The rules shall provide that the
7 money be used for the reasonable support of the inmate's family or dependents before
8 it is allocated for the drug offender diversion surcharge.

9 *-1417/P4.6* SECTION 2233. 302.13 of the statutes is amended to read:

10 **302.13 Preservation of property an inmate brings to prison.** The
11 department shall preserve money and effects, except clothes, in the possession of an
12 inmate when admitted to the prison and, subject to the crime victim and witness
13 assistance surcharge under s. 973.045 (4), ~~and~~ ^{delete extra space} ~~and~~ the deoxyribonucleic acid
14 analysis surcharge under s. 973.046, and the drug offender diversion surcharge
15 under s. 973.043, shall restore the money and effects to the inmate when discharged.

16 *b0285/4.11* SECTION 2233m. 302.43 of the statutes is amended to read:

17 **302.43 Good time.** Every inmate of a county jail is eligible to earn good time
18 in the amount of one-fourth of his or her term for good behavior if sentenced to at
19 least 4 days, but fractions of a day shall be ignored. An inmate shall be given credit
20 for time served prior to sentencing under s. 973.155, including good time under s.
21 973.155 (4). An inmate who violates any law or any regulation of the jail, or neglects
22 or refuses to perform any duty lawfully required of him or her, may be deprived by
23 the sheriff of good time under this section, except that the sheriff shall not deprive
24 the inmate of more than 2 days good time for any one offense without the approval
25 of the court. An inmate who files an action or special proceeding, including a petition

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SECTION 2233m

1 for a common law writ of certiorari, to which s. 807.15 applies shall be deprived of
2 the number of days of good time specified in the court order prepared under s. 807.15
3 (3). This section does not apply to a person who is confined in the county jail in
4 connection with his or her participation in a substance abuse treatment program
5 that meets the requirements of s. 16.964 (12) (c), as determined by the office of justice
6 assistance under s. 16.964 (12) (j).

7 *-1417/P4.7* SECTION 2235. 303.01 (8) (b) of the statutes is amended to read:

8 303.01 (8) (b) The department shall distribute earnings of an inmate or
9 resident, other than an inmate or resident employed under sub. (2) (em), for the crime *plain text*
10 victim and witness assistance surcharge under s. 973.045 (4), for the delinquency
11 victim and witness assistance surcharge under s. 938.34 (8d) (c), for the
12 deoxyribonucleic acid analysis surcharge under s. 973.046 (4) and for compliance
13 with s. 303.06 (2) and may distribute earnings for the support of the inmate's or
14 resident's dependents and for other obligations either acknowledged by the inmate
15 or resident in writing or which have been reduced to judgment that may be satisfied
16 according to law. The department may also distribute earnings for the drug offender
17 diversion surcharge under s. 973.043, but only if the inmate or resident has first
18 provided for the reasonable support of his or her dependents.

***NOTE: This is reconciled s. 303.01 (8) (b). This SECTION has been affected by
drafts with the following LRB numbers: LRB-1417 and LRB-0252.

19 *b0285/4.13* SECTION 2236m. 303.01 (8) (c) 8. of the statutes is created to read:

20 303.01 (8) (c) 8. Payment of the drug offender diversion surcharge under s.
21 973.043.

***NOTE: This is reconciled s. 303.01 (8) (c). This SECTION has been affected by
drafts with the following LRB numbers: LRB-0252 and LRB-1417.

22 *b0280/1.1* SECTION 2239m. 303.015 (1) (e) of the statutes is amended to read:

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SECTION 2239m

1 303.015 (1) (e) The board shall review and either approve or deny a proposal
2 under s. 303.06 (5) to offer for sale in the open market a product or type of product
3 manufactured in whole or in part by inmates as part of a hobby-craft program or
4 vocational training. Once the board has approved the sale of a particular product or
5 type of product under this paragraph, the product or type of product may be offered
6 for sale by any tax-supported or nonprofit agency under s. 303.06 (5) without further
7 approval by the board under this paragraph.

8 ***b0280/1.2* SECTION 2240g.** 303.06 (5) of the statutes is amended to read:

9 303.06 (5) A tax-supported institution or a nonprofit agency may offer for sale
10 in the open market products manufactured in whole or in part by inmates in a state
11 penal institution as part of a hobby-craft program or vocational training if the
12 purpose of the sale is to support the institution's or agency's mission or is for some
13 other charitable purpose and if the sale of that product or type of product has been
14 approved by the prison industries board under s. 303.015 (1) (e).

15 ***b0280/1.2* SECTION 2240r.** 303.06 (6) of the statutes is created to read:

16 303.06 (6) The department may sell, in the open market, products produced in
17 whole or in part by inmates in a state penal institution if the products are produced
18 as part of a technical college course provided to inmates.

19 ***b0285/4.14* SECTION 2241m.** 303.065 (5) (cm) of the statutes is created to
20 read:

21 303.065 (5) (cm) Payment of the drug offender diversion surcharge under s.
22 973.043.

23 *delete extra space*
24 ***-1394/1.3* SECTION 2243.** 341.09 (2m) (a) 1., 2. and 3. and (d) of the statutes
25 are amended to read:

ASSEMBLY BILL 100

SECTION 2243

1 341.09 (2m) (a) 1. Upon request by a dealer licensed in this state, the
2 department may issue any number of temporary operation plates and temporary
3 permits to a dealer under sub. (2) at a fee of \$3 per plate item. The dealer may issue
4 the temporary operation plate or permit at a fee of \$3 to any of the following:

5 2. Notwithstanding subd. 1., the department shall issue a sufficient number
6 of temporary operation plates and temporary permits without charge to each dealer
7 licensed in this state for issuance under this subdivision. Each dealer shall issue a
8 temporary operation plate or a temporary permit without charge to any state
9 resident who purchases or leases from the dealer an automobile or motor truck
10 having a registered weight of 8,000 pounds or less, for use on such vehicle if the state
11 resident submits to the dealer a complete application for registration of the vehicle,
12 including evidence of inspection under s. 110.20 when required, and for a new
13 certificate of title for a purchased vehicle, together with a check or money order made
14 payable to the department for all applicable title, registration, security interest and
15 sales tax moneys, for transmittal to the department by the dealer.

16 3. The department shall prescribe the manner in which a dealer shall keep
17 records of temporary operation plates and temporary permits issued by the dealer.

18 (d) If the department determines that a dealer has misused plates or permits
19 issued under this subsection or sub. (4) or has failed to comply with the requirements
20 of this section or rules issued under this section, the department may order the dealer
21 to return all temporary operation plates and permits in the dealer's possession.
22 Within 30 days after the issuance of the order, the dealer may request a hearing
23 before the division of hearings and appeals. The division of hearings and appeals
24 shall schedule a hearing with reasonable promptness. The dealer may not issue any

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SECTION 2243

1 temporary operation plates or permits until after the division of hearings and
2 appeals holds its scheduled hearing and issues its findings.

3 ***-1394/1.4* SECTION 2244.** 341.09 (9) of the statutes is amended to read:

4 341.09 (9) Notwithstanding any other provision of this section, the department
5 shall issue a temporary operation plate or a temporary permit without charge for an
6 automobile or motor truck having a registered weight of 8,000 pounds or less upon
7 receipt of a complete application accompanied by the required fee for registration of
8 the vehicle, including evidence of any inspection under s. 110.20 when required, if
9 the department does not immediately issue the regular registration plates for the
10 vehicle and the department determines that the applicant has not otherwise been
11 issued a temporary operation plate or a temporary permit under this section.

12 ***b0367/1.1* SECTION 2244f.** 341.135 (1) of the statutes is amended to read:

13 341.135 (1) DESIGN. Every 7th 10th year, the department shall establish new
14 designs of registration plates to be issued under ss. 341.14 (1a), (1m), (1q), (2), (2m),
15 (6m), and (6r), 341.25 (1) (a), (c), (h), and (j) and (2) (a), (b), and (c), and 341.26 (2) and
16 (3) (a) 1. and (am). Any design for registration plates issued for automobiles and for
17 vehicles registered on the basis of gross weight shall comply with the applicable
18 design requirements of ss. 341.12 (3), 341.13, and 341.14 (6r) (c). The designs for
19 registration plates specified in this subsection shall be as similar in appearance as
20 practicable during each ~~7-year~~ 10-year design interval. Except as provided in s.
21 341.13 (2r), each registration plate issued under s. 341.14 (1a), (1m), (1q), (2), (2m),
22 (6m), or (6r), 341.25 (1) (a), (c), (h), or (j) or (2) (a), (b), or (c), or 341.26 (2) or (3) (a)
23 1. or (am) during each ~~7-year~~ 10-year design interval shall be of the design
24 established under this subsection. The department may not redesign registration
25 plates for the special groups under s. 341.14 (6r) (f) 53., 54., or 55. until July 1, 2007

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SECTION 2244f

1 2010. Except for registration plates issued under s. 341.14 (6r) (f) 53., 54., or 55., the
2 first design cycle for registration plates issued under ss. 341.14 (1a), (1m), (1q), (2),
3 (2m), (6m), and (6r), 341.25 (1) (a), (c), (h), and (j) and (2) (a), (b), and (c), and 341.26
4 (2) and (3) (a) 1. and (am) began July 1, 2000.

5 ***b0367/1.1* SECTION 2244k.** 341.135 (2) (a) 2. of the statutes is amended to
6 read:

7 341.135 (2) (a) 2. Notwithstanding s. 341.13 (3), beginning with registrations
8 initially effective on July 1, ~~2007~~ 2010, upon receipt of a completed application to
9 initially register a vehicle under s. 341.14 (1a), (1m), (1q), (2), (2m), (6m), or (6r), or
10 s. 341.25 (1) (a), (c), (h), or (j) or (2) (a), (b), or (c) or 341.26 (2) or (3) (a) 1. or (am), or
11 to renew the registration of a vehicle under those sections for which a registration
12 plate has not been issued during the previous ~~7~~ 10 years, the department shall issue
13 and deliver prepaid to the applicant 2 new registration plates of the design
14 established for that ~~7-year~~ 10-year period under sub. (1).

15 ***b0367/1.1* SECTION 2244o.** 341.135 (2) (am) of the statutes is amended to
16 read:

17 341.135 (2) (am) Notwithstanding s. 341.13 (3) and (3m), beginning with
18 registrations initially effective on July 1, 2000, upon receipt of a completed
19 application to renew the registration of a vehicle registered under s. 341.14 (1a),
20 (1m), (1q), (2), (2m), (6m), or (6r), except s. 341.14 (6r) (f) 53., 54., or 55., or s. 341.25
21 (1) (a), (c), (h), or (j) or (2) (a), (b), or (c) for which a registration plate of the design
22 established under sub. (1) has not been issued, the department may issue and deliver
23 prepaid to the applicant 2 new registration plates of the design established under
24 sub. (1). This paragraph does not apply to registration plates issued under s. 341.14
25 (6r) (f) 52., 1997 stats. This paragraph does not apply after June 30, ~~2007~~ 2010.

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SECTION 2244r

1 ***b0367/1.1* SECTION 2244r.** 341.135 (2) (e) of the statutes is amended to read:

2 341.135 (2) (e) The department shall issue new registration plates of the design
3 established under sub. (1) for every vehicle registered under s. 341.14 (1a), (1m), (1q),
4 (2), (2m), (6m), or (6r), 341.25 (1) (a), (c), (h), or (j) or (2) (a), (b), or (c), or 341.26 (2)
5 or (3) (a) 1. or (am) after July 1, 2007 2010.

6 ***b0237/3.2* SECTION 2245m.** 341.14 (6r) (b) 2. of the statutes is amended to
7 read:

8 341.14 (6r) (b) 2. An additional fee of \$15 shall be charged for the issuance or
9 reissuance of the plates for special groups specified under par. (f), except that no
10 additional fee may be charged under this subdivision for the issuance or reissuance
11 of the plates for special groups specified under par. (f) 1. to 32., 49., 49m., 51., or 56.

12 ***b0383/2.1* SECTION 2245m.** 341.135 (2m) of the statutes is created to read:

13 341.135 (2m) APPLICABILITY. This section does not apply to special group plates
14 under s. 341.14 (6r) (f) 19m.

15 ***b0383/2.1* SECTION 2245n.** 341.14 (6r) (a) of the statutes is renumbered
16 341.14 (6r) (a) (intro.) and amended to read:

17 341.14 (6r) (a) (intro.) In this subsection and s. 341.145 (1) (c), ~~“authorized;~~
18 1. “Authorized special group” means a special group enumerated in par. (f) or
19 designated by the department under par. (fm).
20

21 ***b0383/2.1* SECTION 2245o.** 341.14 (6r) (a) 2. of the statutes is created to read:

22 341.14 (6r) (a) 2. “Immediate family member” means a spouse, grandparent,
23 parent, sibling, child, stepchild, stepparent, or grandchild, or the spouse of a
24 grandparent, parent, sibling, child, stepchild, stepparent, or grandchild.

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SECTION 2245p

1 ***b0383/2.1* SECTION 2245p.** 341.14 (6r) (b) 2. of the statutes is amended to
2 read:

3 341.14 (6r) (b) 2. An additional fee of \$15 shall be charged for the issuance or
4 reissuance of the plates for special groups specified under par. (f) except those under
5 par. (f) 19m.

6 ***-0374/3.1* SECTION 2246.** 341.14 (6r) (b) 9. of the statutes is created to read:

7 341.14 (6r) (b) 9. A fee of \$15 for a special group specified under par. (f) 1. to
8 32., 49., 49m., 51., or 56. additional fee of \$30 that is in addition to the fee under subd.

9 2. shall be charged for the issuance or ~~renewal~~ of a plate ~~issued on the biennial basis~~
10 for a special group specified under par. (f) 1. to 32., 49., 49m., 51., or 56. if the plate

11 is issued or renewed during the first year of the biennial registration period or \$15
12 for the issuance or renewal if the plate is issued or renewed during the 2nd year of
13 the biennial All moneys received under this subdivision in excess of the initial costs

14 of production of the special group plate under par. (f) 56. or \$27,600, whichever is less, ✓
15 shall be deposited in the veterans trust fund.

16 ***b0383/2.2* SECTION 2246m.** 341.14 (6r) (d) of the statutes is renumbered
17 341.14 (6r) (d) 1. and amended to read:

18 341.14 (6r) (d) 1. The Subject to subd. 2., the department shall specify the word
19 or words comprising the special group name and the symbol to be displayed upon
20 special group plates for a group associated with a branch of the armed services or a
21 related organization after consultation with the appropriate state or federal
22 representative of that service or organization. Special group plates for a group
23 associated with a branch of the armed services or a related organization shall be
24 colored red, white and blue.

25 ***b0383/2.2* SECTION 2246n.** 341.14 (6r) (d) 2. of the statutes is created to read:

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SECTION 2246n

1 341.14 (6r) (d) 2. Special group plates under par. (f) 19m. shall display a gold
2 star flag. The department shall consult the Brian LaViolette Scholarship
3 Foundation, Inc., in designing the special group plates under par. (f) 19m., and the
4 department may not specify a design for the special group plates under par. (f) 19m.
5 unless the design is approved in writing by the department of veterans affairs and
6 by the Brian LaViolette Scholarship Foundation, Inc.

7 ***b0383/2.2* SECTION 2246o.** 341.14 (6r) (f) 19m. of the statutes is created to
8 read:

9 341.14 (6r) (f) 19m. Persons who have had an immediate family member die
10 in combat while serving in the U.S. armed forces.

11 ***-0374/3.2* SECTION 2247.** 341.14 (6r) (f) 56. of the statutes is created to read:

12 341.14 (6r) (f) 56. Persons interested in supporting veterans.

13 ***b0383/2.3* SECTION 2247g.** 341.14 (6r) (fm) 7. of the statutes is amended to
14 read:

15 341.14 (6r) (fm) 7. ~~Except for the authorized special group enumerated under~~
16 ~~par. (f) 55., after~~ After October 1, 1998, additional authorized special groups may
17 only be special groups designated by the department under this paragraph. The
18 authorized special groups enumerated in par. (f) shall be limited solely to those
19 special groups specified under par. (f) on October 1, 1998, ~~except for the authorized~~
20 ~~special group enumerated under par. (f) 55.~~ This subdivision does not apply to the
21 special group groups specified under par. (f) 54., 55., and 56.

22 ***b0383/2.3* SECTION 2247r.** 341.14 (6r) (fm) 7. of the statutes, as affected by
23 2005 Wisconsin Act (this act), is amended to read:

24 341.14 (6r) (fm) 7. After October 1, 1998, additional authorized special groups
25 may only be special groups designated by the department under this paragraph. The

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SECTION 2247r

1 authorized special groups enumerated in par. (f) shall be limited solely to those
2 special groups specified under par. (f) on October 1, 1998. This subdivision does not
3 apply to the special groups specified under par. (f) 19m., 54., 55., and 56.

4 ***-0299/2.5* SECTION 2252.** 342.06 (1) (intro.) of the statutes is amended to
5 read:

6 342.06 (1) (intro.) An application for a certificate of title shall be made to the
7 department upon a form or in an automated format prescribed by it and shall be
8 accompanied by the required fee and any applicable taxes. The department shall
9 provide the information it obtains under this subsection to the department of
10 revenue for the sole purpose of administering state taxes. Each application for
11 certificate of title shall include the following information:

12 ***-0299/2.6* SECTION 2253.** 342.06 (1) (eg) of the statutes is amended to read:

13 342.06 (1) (eg) Except as provided in par. (eh), if the applicant is an individual,
14 the social security number of the applicant. The department of transportation may
15 not disclose a social security number obtained under this paragraph to any person
16 except to the department of workforce development for the sole purpose of
17 administering s. 49.22 and to the department of revenue for the sole purpose of
18 administering state taxes.

19 ***-1053/3.1* SECTION 2254.** 342.14 (1) of the statutes is amended to read:

20 342.14 (1) For filing an application for the first certificate of title, \$18.50
21 \$28.50, by the owner of the vehicle.

22 ***-0452/2.1* SECTION 2255.** 342.14 (1r) of the statutes is amended to read:

23 342.14 (1r) Upon filing an application under sub. (1) or (3), an environmental
24 impact fee of \$9, by the person filing the application. All moneys collected under this

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SECTION 2255

1 subsection shall be credited to the environmental fund for environmental
2 management. This subsection does not apply after December 31, 2005 2007. *(Plan text)*

3 *-1053/3.2* SECTION 2256. 342.14 (3) of the statutes is amended to read:

4 342.14 (3) For a certificate of title after a transfer, \$18.50 \$28.50, by the owner
5 of the vehicle.

6 *-1053/3.3* SECTION 2258. 342.14 (5) of the statutes is amended to read:

7 342.14 (5) For a replacement certificate of title, \$8 \$20, by the owner of the
8 vehicle.

9 *-1394/1.5* SECTION 2259. 342.16 (1) (a) of the statutes is amended to read:

10 342.16 (1) (a) Except as provided in par. (c), if a dealer acquires a new or used
11 vehicle that is not a salvage vehicle and holds it for resale, or acquires a salvage
12 vehicle that is currently titled as a salvage vehicle and holds it for resale or accepts
13 a vehicle for sale on consignment, the dealer may not submit to the department the
14 certificate of title or application for certificate of title naming the dealer as owner of
15 the vehicle. Upon transferring the vehicle to another person, the dealer shall
16 immediately give the transferee on a form prescribed by the department a receipt for
17 all title, registration, security interest and sales tax moneys paid to the dealer for
18 transmittal to the department when required. The dealer shall promptly execute the
19 assignment and warranty of title, showing the name and address of the transferee
20 and of any secured party holding a security interest created or reserved at the time
21 of the resale or sale on consignment, in the spaces provided therefor on the certificate
22 or as the department prescribes. Within 7 business days following the sale or
23 transfer, the dealer shall process the application for certificate of title, and within the
24 next business day after processing the application, the dealer shall mail or deliver
25 the certificate or original application for certificate and all associated materials

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SECTION 2259

1 ~~required by the department~~ to the department ~~with the transferee's application for~~
2 ~~a new certificate.~~ A nonresident who purchases a motor vehicle from a dealer in this
3 state may not, unless otherwise authorized by rule of the department, apply for a
4 certificate of title issued for the vehicle in this state unless the dealer determines that
5 a title is necessary to protect the interests of a secured party. The dealer is
6 responsible for determining whether a title and perfection of security interest is
7 required. The dealer is liable for any damages incurred by the department or any
8 secured party for the dealer's failure to perfect a security interest which the dealer
9 had knowledge of at the time of sale.

10 *~~1394/1.6~~* SECTION 2260. 342.16 (1) (am) of the statutes is created to read:

11 342.16 (1) (am) 1. Except as provided in subd. 2., a motor vehicle dealer, as
12 defined in s. 218.0101 (23), who processes an application for transfer of title and
13 registration as provided in par. (a) shall utilize an electronic process prescribed by
14 the department under this paragraph or provided for under ss. 341.20 and 341.21.

delete extra space

15 2. The department may, by rule, exempt a motor vehicle dealer from the
16 requirements of this paragraph. A motor vehicle dealer who is exempted shall pay
17 a fee to the department to process applications for transfer of title and registration
18 that are submitted to the department by the exempted dealer.

19 3. The department shall promulgate rules to implement and administer this
20 paragraph.

21 *~~0299/2.7~~* SECTION 2261. 343.027 of the statutes is amended to read:

22 **343.027 Confidentiality of signatures.** Any signature collected under this
23 chapter may be maintained by the department and shall be kept confidential. ~~The,~~
24 except that the department may release a signature or a facsimile of a signature only

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SECTION 2261

1 to the person to whom the signature relates and to the department of revenue for the
2 sole purpose of investigating allegations of tax fraud.

3 ***-0299/2.8* SECTION 2262.** 343.14 (1) of the statutes is amended to read:

4 343.14 (1) Every application to the department for a license or identification
5 card or for renewal thereof shall be made upon the appropriate form furnished by the
6 department and shall be accompanied by the required fee. The department shall
7 provide the information it obtains under this subsection, excluding medical
8 information, to the department of revenue for the purpose of administering setoffs
9 under ss. 71.93 and 71.935 and state taxes.

10 ***-0299/2.9* SECTION 2263.** 343.14 (2j) (b) of the statutes is amended to read:

11 343.14 (2j) (b) Except as otherwise required to administer and enforce this
12 chapter, the department of transportation may not disclose a social security number
13 obtained from an applicant for a license under sub. (2) (bm) to any person except to
14 the department of workforce development for the sole purpose of administering s.
15 49.22 or to the department of revenue for the purpose of administering setoffs under
16 ss. 71.93 and 71.935 and state taxes.

17 ***-1652/2.1* SECTION 2265.** 343.44 (2) (as) of the statutes is created to read:

18 343.44 (2) (as) Any person who violates sub. (1) (b) after the effective date of
19 this paragraph [revisor inserts date], shall forfeit not more than \$2,500, except
20 that, if the person has been convicted of a previous violation of sub. (1) (b) within the
21 preceding 5-year period or if the revocation identified under sub. (1) (b) resulted from
22 an offense that may be counted under s. 343.307 (2), the penalty under par. (b) shall
23 apply.

24 ***-1652/2.2* SECTION 2266.** 343.44 (2) (b) (intro.) of the statutes is amended to
25 read:

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SECTION 2266

1 343.44 (2) (b) (intro.) Except as provided in ~~par.~~ pars. (am) and (as), any person
2 who violates sub. (1) (b), (c) or (d) shall be fined not more than \$2,500 or imprisoned
3 for not more than one year in the county jail or both. In imposing a sentence under
4 this paragraph, or a local ordinance in conformity with this paragraph, the court
5 shall review the record and consider the following:

6 *delete xtra space*

7 *-0355/2.20* SECTION 2270. 350.12 (3h) (a) 1. of the statutes is amended to
8 read:

9 350.12 (3h) (a) 1. Directly issue, transfer, or renew the registration
10 documentation with or without using the ~~expedited~~ services specified in par. (ag) 1.

11 *-0355/2.21* SECTION 2271. 350.12 (3h) (a) 3. of the statutes is amended to
12 read:

13 350.12 (3h) (a) 3. Appoint persons who are not employees of the department
14 as agents of the department to issue, transfer, or renew the registration
15 documentation using either or both of the ~~expedited~~ services specified in par. (ag) 1.

16 *-0355/2.22* SECTION 2272. 350.12 (3h) (ag) 1. (intro.) of the statutes is
17 amended to read:

18 350.12 (3h) (ag) 1. (intro.) For the issuance of original or duplicate registration
19 documentation and for the transfer or renewal of registration documentation, the
20 department may implement either or both of the following ~~expedited~~ procedures to
21 be provided by the department and any agents appointed under par. (a) 3.:

22 *-0355/2.23* SECTION 2273. 350.12 (3h) (ag) 1. a. of the statutes is amended
23 to read:

24 350.12 (3h) (ag) 1. a. A ~~none~~computerized procedure under which the
25 department or agent may accept applications for registration certificates

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SECTION 2273

1 documentation and issue a validated registration receipt at the time the applicant
2 submits the application accompanied by the required fees.

3 *–0355/2.24* SECTION 2274. 350.12 (3h) (ag) 1. b. of the statutes is amended
4 to read:

5 350.12 (3h) (ag) 1. b. A computerized procedure under which the department
6 or agent may accept applications for registration documentation and issue to each
7 applicant all or some of the items of the registration documentation at the time the
8 applicant submits the application accompanied by the required fees.

9 *–0355/2.25* SECTION 2275. 350.12 (3h) (ag) 2. of the statutes is amended to
10 read:

11 350.12 (3h) (ag) 2. Under either procedure under subd. 1., the applicant shall
12 receive any remaining items of registration documentation directly from the
13 department at a later date. The items of registration documentation issued at the
14 time of the submittal of the application under either procedure shall be sufficient to
15 allow the snowmobile for which the application is submitted to be operated in
16 compliance with the registration requirements under this section. The items of
17 registration documentation issued under subd. 1. b. shall include at least one
18 registration decal.

19 *–0355/2.26* SECTION 2276. 350.12 (3h) (ar) (title) of the statutes is repealed
20 and recreated to read:

21 350.12 (3h) (ar) (title) *Registration; supplemental fees.*

22 *–0355/2.27* SECTION 2277. 350.12 (3h) (ar) 1. of the statutes is amended to
23 read:

24 350.12 (3h) (ar) 1. In addition to the applicable fee under sub. (3) (a), each agent
25 appointed under par. (a) 3. shall collect ~~an expedited~~ a service fee of \$3 each time the

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SECTION 2277

1 agent issues a validated registration receipt under par. (ag) 1. a. The agent shall
2 retain the entire amount of each expedited service fee the agent collects.

3 *-0355/2.28* SECTION 2278. 350.12 (3h) (ar) 2. of the statutes is amended to
4 read:

5 350.12 (3h) (ar) 2. In addition to the applicable fee under sub. (3) (a), the
6 department or the agent appointed under par. (a) 3. shall collect an expedited a
7 service fee of \$3 \$5 each time the expedited service under par. (ag) 1. b. is provided.
8 The agent shall remit to the department \$1 of each expedited service fee the agent
9 collects.

10 *b0096/2.1* SECTION 2278m. 350.12 (4) (bg) (title) of the statutes is amended
11 to read:

12 350.12 (4) (bg) (title) *Supplemental trail aid-payments aids; funding.*

13 *delete extra space*

14 *b0096/2.1* SECTION 2278s. 350.12 (4) (bm) (intro.) of the statutes is amended
15 to read:

16 350.12 (4) (bm) (intro.) *Supplemental trail aid-payments aids; eligibility.* A
17 county or the department shall be eligible for payments under par. (bg) for a given
18 fiscal year if it applies for the aid and if all of the following apply:

19 *-0351/1.1* SECTION 2279. 350.12 (4) (bm) 2. of the statutes is amended to
20 read:

21 350.12 (4) (bm) 2. Of the actual cost incurred by the department or the county
22 in maintaining its trails that are qualified under par. (b) 1. or 4. for the fiscal year
23 applicable under subd. 1., the actual cost incurred in grooming the trails exceeds a
24 maximum of \$130 \$150 per mile per year.

25 *b0096/2.2* SECTION 2279m. 350.12 (4) (bn) of the statutes is created to read:

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SECTION 2279m

1 350.12 (4) (bn) *Supplemental trail aids; payments.* Each county shall submit
2 its application for aid under par. (bm) before the August 1 immediately following
3 June 30 of the fiscal year for which the county is applying. Before the September 15
4 immediately following the date of application, the department shall make an initial
5 payment to each county that is equal to 50 percent of the amount applied for. After
6 determining under pars. (bg) and (bm) the total amounts due all counties, the
7 department shall notify each county, before the December 1 immediately following
8 the date of the initial payment, of the balance still owing. If the department
9 determines that the total amount for which the county is eligible is less than the
10 amount applied for, the department shall deduct the difference from the balance paid
11 to the county.

12 ***b0096/2.2* SECTION 2279p.** 350.12 (4) (br) (title) of the statutes is amended
13 to read:

14 350.12 (4) (br) (title) *Supplemental trail aid ~~payments~~ aids; insufficient*
15 *funding.*

16 ***-0355/2.29* SECTION 2280.** 350.125 (1) (am) of the statutes is repealed.

17 ***-1192/2.1* SECTION 2281.** 351.02 (1) (b) of the statutes is amended to read:

18 351.02 (1) (b) Twelve or more convictions of ~~moving violations~~ of ch. 346,
19 including violations under par. (a), ~~of traffic regulations or of crimes in the operation~~
20 ~~of a motor vehicle which are required to be reported under s. 343.28 or 345.37 (5).~~

21 ***-1192/2.2* SECTION 2282.** 351.02 (1) (f) of the statutes is amended to read:

22 351.02 (1) (f) The department may, by rule, exempt specific ~~moving violations~~
23 of ch. 346 from being counted under par. (b) if the department determines that the
24 violation is a petty offense, except that the department may not exempt any violation

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SECTION 2282

1 for which the department assigns demerit points under s. 343.32 (2) or rules
2 promulgated thereunder.

3 *–1192/2.3* SECTION 2283. 351.02 (2) of the statutes is repealed.

4 *b0088/P1.1* SECTION 2283g. 440.03 (9) (b) of the statutes is amended to read:

5 440.03 (9) (b) A recommended change to each fee specified under s. 440.05 (1)
6 for an initial credential for which an examination is not required, under s. 440.05 (2)
7 for a reciprocal credential and under s. 440.08 (2) (a) for a credential renewal if the
8 change is necessary to reflect the approximate administrative and enforcement costs
9 of the department that are attributable to the regulation of the particular occupation
10 or business during the period in which the initial or reciprocal credential or
11 credential renewal is in effect and, for purposes of the recommended change to each
12 fee specified under s. 440.08 (2) (a) for a credential renewal, to reflect an estimate of
13 any additional moneys available for the department's general program operations,
14 during the budget period to which the biennial budget request applies, as a result of
15 appropriation transfers that have been or are estimated to be made under s. 20.165
16 (1) (i) prior to and during that budget period. The department may not recommend
17 an initial credential fee that exceeds the amount of the fee that the department
18 recommends for a renewal of the same credential, if no examination is required for
19 the initial credential.

20 *–0299/2.10* SECTION 2284. 440.03 (11m) (c) of the statutes is amended to
21 read:

22 440.03 (11m) (c) The department of regulation and licensing may not disclose
23 a social security number obtained under par. (a) to any person except the coordinated
24 licensure information system under s. 441.50 (7); the department of workforce
25 development for purposes of administering s. 49.22; and, for a social security number

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SECTION 2284

1 obtained under par. (a) 1., the department of revenue for the sole purpose of
2 requesting certifications under s. 73.0301 and administering state taxes.

3 *b0246/2.1* SECTION 2284m. 440.03 (13) (b) 5m. of the statutes is created to
4 read:

5 440.03 (13) (b) 5m. Alcohol and other drug abuse counselor.

6 *-0347/2.15* SECTION 2285. 440.03 (13) (b) 66d. of the statutes is created to
7 read:

8 440.03 (13) (b) 66d. Sanitarian.

9 *b0085/P1.1* SECTION 2286b. 440.05 (intro.) of the statutes is amended to
10 read:

11 440.05 Standard fees. (intro.) The following standard fees apply to all initial
12 credentials, except as provided in ss. 440.42, 440.43, 440.44, 440.51, 440.9935,
13 444.03, 444.11, 446.02 (2) (c), 447.04 (2) (c) 2., 449.17, and 449.18:

14 *-0558/P1.1* SECTION 2287. 440.08 (2) (a) 1. of the statutes is amended to read:
15 440.08 (2) (a) 1. Accountant, certified public: January 1 December 15 of each
16 even-numbered odd-numbered year; \$59.

17 *-0558/P1.2* SECTION 2288. 440.08 (2) (a) 3. of the statutes is amended to read:
18 440.08 (2) (a) 3. Accounting corporation or partnership: January 1 December
19 15 of each even-numbered odd-numbered year; \$56.

20 *-0558/P1.3* SECTION 2289. 440.08 (2) (a) 5. of the statutes is amended to read:
21 440.08 (2) (a) 5. Aesthetician: July April 1 of each odd-numbered year; \$87.

22 *-0558/P1.4* SECTION 2290. 440.08 (2) (a) 6. of the statutes is amended to read:
23 440.08 (2) (a) 6. Aesthetics establishment: July April 1 of each odd-numbered
24 year; \$70.

25 *-0558/P1.5* SECTION 2291. 440.08 (2) (a) 7. of the statutes is amended to read:

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1 440.08 (2) (a) 7. Aesthetics instructor: ~~July~~ April 1 of each odd-numbered year;
2 \$70.

3 *–0558/P1.6* SECTION 2292. 440.08 (2) (a) 8. of the statutes is amended to read:

4 440.08 (2) (a) 8. Aesthetics school: ~~July~~ April 1 of each odd-numbered year;
5 \$115.

6 *–0558/P1.7* SECTION 2293. 440.08 (2) (a) 9. of the statutes is amended to read:

7 440.08 (2) (a) 9. Aesthetics specialty school: ~~July~~ April 1 of each odd-numbered
8 year; \$53.

9 *b0246/2.2* SECTION 2293m. 440.08 (2) (a) 9m. of the statutes is created to
10 read:

11 440.08 (2) (a) 9m. Alcohol and other drug abuse counselor: March 1 of each
12 odd-numbered year; \$70.

13 *–0558/P1.8* SECTION 2294. 440.08 (2) (a) 11. of the statutes is amended to
14 read:

15 440.08 (2) (a) 11. Appraiser, real estate, certified general: ~~January 1~~ December
16 15 of each even-numbered odd-numbered year; \$162.

17 *–0558/P1.9* SECTION 2295. 440.08 (2) (a) 11m. of the statutes is amended to
18 read:

19 440.08 (2) (a) 11m. Appraiser, real estate, certified residential: ~~January 1~~
20 December 15 of each even-numbered odd-numbered year; \$167.

21 *–0558/P1.10* SECTION 2296. 440.08 (2) (a) 12. of the statutes is amended to
22 read:

23 440.08 (2) (a) 12. Appraiser, real estate, licensed: ~~January 1~~ December 15 of
24 each even-numbered odd-numbered year; \$185.

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SECTION 2296k

1 ***b0085/P1.2* SECTION 2296k.** 440.08 (2) (a) 14d. of the statutes is amended
2 to read:

3 440.08 (2) (a) 14d. Athlete agent: July 1 of each even-numbered year; the
4 amount specified in rules promulgated under s. 440.9935 \$53.

5 ***-0558/P1.11* SECTION 2297.** 440.08 (2) (a) 14g. of the statutes is amended to
6 read:

7 440.08 (2) (a) 14g. Auction company: ~~January 1~~ December 15 of each
8 ~~odd-numbered even-numbered~~ year; \$56.

9 ***-0558/P1.12* SECTION 2298.** 440.08 (2) (a) 14r. of the statutes is amended to
10 read:

11 440.08 (2) (a) 14r. Auctioneer: ~~January 1~~ December 15 of each ~~odd-numbered~~
12 even-numbered year; \$174.

13 ***-0558/P1.13* SECTION 2299.** 440.08 (2) (a) 16. of the statutes is amended to
14 read:

15 440.08 (2) (a) 16. Barbering or cosmetology establishment: ~~July~~ April 1 of each
16 odd-numbered year; \$56.

17 ***-0558/P1.14* SECTION 2300.** 440.08 (2) (a) 17. of the statutes is amended to
18 read:

19 440.08 (2) (a) 17. Barbering or cosmetology instructor: ~~July~~ April 1 of each
20 odd-numbered year; \$91.

21 ***-0558/P1.15* SECTION 2301.** 440.08 (2) (a) 18. of the statutes is amended to
22 read:

23 440.08 (2) (a) 18. Barbering or cosmetology manager: ~~July~~ April 1 of each
24 odd-numbered year; \$71.

1 ***-0558/P1.16* SECTION 2302.** 440.08 (2) (a) 19. of the statutes is amended to
2 read:

3 440.08 (2) (a) 19. Barbering or cosmetology school: ~~July~~ April 1 of each
4 odd-numbered year; \$138.

5 ***-0558/P1.17* SECTION 2303.** 440.08 (2) (a) 20. of the statutes is amended to
6 read:

7 440.08 (2) (a) 20. Barber or cosmetologist: ~~July~~ April 1 of each odd-numbered
8 year; \$63.

9 ***b0120/3.6* SECTION 2303k.** 440.08 (2) (a) 21. of the statutes is amended to
10 read:

11 440.08 (2) (a) 21. Cemetery authority, licensed: ~~January 1~~ December 15 of each
12 odd-numbered even-numbered year; \$343, plus an amount to be determined by rule
13 by the cemetery board.

14 ***-0558/P1.19* SECTION 2305.** 440.08 (2) (a) 22. of the statutes is amended to
15 read:

16 440.08 (2) (a) 22. Cemetery preneed seller: ~~January 1~~ December 15 of each
17 odd-numbered even-numbered year; \$61.

18 ***-0558/P1.20* SECTION 2306.** 440.08 (2) (a) 23. of the statutes is amended to
19 read:

20 440.08 (2) (a) 23. Cemetery salesperson: ~~January 1~~ December 15 of each
21 odd-numbered even-numbered year; \$90.

22 ***-0558/P1.21* SECTION 2307.** 440.08 (2) (a) 24. of the statutes is amended to
23 read:

24 440.08 (2) (a) 24. Chiropractor: ~~January 1~~ December 15 of each odd-numbered
25 even-numbered year; \$168.

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SECTION 2308

1 ***-0558/P1.22* SECTION 2308.** 440.08 (2) (a) 30. of the statutes is amended to
2 read:

3 440.08 (2) (a) 30. Electrologist: ~~July~~ April 1 of each odd-numbered year; \$76.

4 ***-0558/P1.23* SECTION 2309.** 440.08 (2) (a) 31. of the statutes is amended to
5 read:

6 440.08 (2) (a) 31. Electrology establishment: ~~July~~ April 1 of each
7 odd-numbered year; \$56.

8 ***-0558/P1.24* SECTION 2310.** 440.08 (2) (a) 32. of the statutes is amended to
9 read:

10 440.08 (2) (a) 32. Electrology instructor: ~~July~~ April 1 of each odd-numbered
11 year; \$86.

12 ***-0558/P1.25* SECTION 2311.** 440.08 (2) (a) 33. of the statutes is amended to
13 read:

14 440.08 (2) (a) 33. Electrology school: ~~July~~ April 1 of each odd-numbered year;
15 \$71.

16 ***-0558/P1.26* SECTION 2312.** 440.08 (2) (a) 34. of the statutes is amended to
17 read:

18 440.08 (2) (a) 34. Electrology specialty school: ~~July~~ April 1 of each
19 odd-numbered year; \$53.

20 ***-0558/P1.27* SECTION 2313.** 440.08 (2) (a) 36. of the statutes is amended to
21 read:

22 440.08 (2) (a) 36. Funeral director: ~~January 1~~ December 15 of each
23 ~~even-numbered~~ odd-numbered year; \$135.

24 ***-0558/P1.28* SECTION 2314.** 440.08 (2) (a) 38g. of the statutes is amended to
25 read:

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SECTION 2314

1 440.08 (2) (a) 38g. Home inspector: ~~January 1~~ December 15 of each
2 ~~odd-numbered even-numbered~~ year; \$53.

3 *-0558/P1.29* SECTION 2315. 440.08 (2) (a) 42. of the statutes is amended to
4 read:

5 440.08 (2) (a) 42. Manicuring establishment: ~~July~~ April 1 of each
6 odd-numbered year; \$53.

7 *-0558/P1.30* SECTION 2316. 440.08 (2) (a) 43. of the statutes is amended to
8 read:

9 440.08 (2) (a) 43. Manicuring instructor: ~~July~~ April 1 of each odd-numbered
10 year; \$53.

11 *-0558/P1.31* SECTION 2317. 440.08 (2) (a) 44. of the statutes is amended to
12 read:

13 440.08 (2) (a) 44. Manicuring school: ~~July~~ April 1 of each odd-numbered year;
14 \$118.

15 *-0558/P1.32* SECTION 2318. 440.08 (2) (a) 45. of the statutes is amended to
16 read:

17 440.08 (2) (a) 45. Manicuring specialty school: ~~July~~ April 1 of each
18 odd-numbered year; \$53.

19 *-0558/P1.33* SECTION 2319. 440.08 (2) (a) 46. of the statutes is amended to
20 read:

21 440.08 (2) (a) 46. Manicurist: ~~July~~ April 1 of each odd-numbered year; \$133.

22 *-0558/P1.34* SECTION 2320. 440.08 (2) (a) 46m. of the statutes is amended
23 to read:

24 440.08 (2) (a) 46m. Marriage and family therapist: ~~July~~ March 1 of each
25 odd-numbered year; \$84.

delet extra space

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SECTION 2321

1 *-0558/P1.35* SECTION 2321. 440.08 (2) (a) 54. of the statutes is amended to
2 read:

3 440.08 (2) (a) 54. Optometrist: ~~January 1~~ December 15 of each ~~even-numbered~~
4 odd-numbered year; \$65.

5 *-0558/P1.36* SECTION 2322. 440.08 (2) (a) 62. of the statutes is amended to
6 read:

7 440.08 (2) (a) 62. Private detective agency: September 1 of each
8 ~~even-numbered~~ odd-numbered year; \$53.

9 *-0558/P1.37* SECTION 2323. 440.08 (2) (a) 63m. of the statutes is amended
10 to read:

11 440.08 (2) (a) 63m. Professional counselor: ~~July~~ March 1 of each
12 odd-numbered year; \$76. *delete xtra page*

13 *-0558/P1.38* SECTION 2324. 440.08 (2) (a) 65. of the statutes is amended to
14 read:

15 440.08 (2) (a) 65. Real estate broker: ~~January 1~~ December 15 of each
16 ~~odd-numbered~~ even-numbered year; \$128.

17 *-0558/P1.39* SECTION 2325. 440.08 (2) (a) 66. of the statutes is amended to
18 read:

19 440.08 (2) (a) 66. Real estate business entity: ~~January 1~~ December 15 of each
20 ~~odd-numbered~~ even-numbered year; \$56.

21 *-0558/P1.40* SECTION 2326. 440.08 (2) (a) 67. of the statutes is amended to
22 read:

23 440.08 (2) (a) 67. Real estate salesperson: ~~January 1~~ December 15 of each
24 ~~odd-numbered~~ even-numbered year; \$83.

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SECTION 2327

1 ***-0347/2.17* SECTION 2327.** 440.08 (2) (a) 68b. of the statutes is created to
2 read:

3 440.08 (2) (a) 68b. Sanitarian: January 1 of each even-numbered year, \$53.

4 ***-0558/P1.41* SECTION 2328.** 440.08 (2) (a) 68d. of the statutes is amended to
5 read:

6 440.08 (2) (a) 68d. Social worker: ~~July~~ March 1 of each odd-numbered year;
7 \$63.

8 ***-0558/P1.42* SECTION 2329.** 440.08 (2) (a) 68h. of the statutes is amended to
9 read:

10 440.08 (2) (a) 68h. Social worker, advanced practice: ~~July~~ March 1 of each
11 odd-numbered year; \$70.

12 ***-0558/P1.43* SECTION 2330.** 440.08 (2) (a) 68p. of the statutes is amended to
13 read:

14 440.08 (2) (a) 68p. Social worker, independent: ~~July~~ March 1 of each
15 odd-numbered year; \$58.

16 ***-0558/P1.44* SECTION 2331.** 440.08 (2) (a) 68t. of the statutes is amended to
17 read:

18 440.08 (2) (a) 68t. Social worker, independent clinical: ~~July~~ March 1 of each
19 odd-numbered year; \$73.

20 ***-0558/P1.45* SECTION 2332.** 440.08 (2) (a) 69. of the statutes is amended to
21 read:

22 440.08 (2) (a) 69. Time-share salesperson: ~~January 1~~ December 15 of each
23 odd-numbered even-numbered year; \$119.

24 ***-0558/P1.46* SECTION 2333.** 440.08 (2) (a) 70. of the statutes is amended to
25 read:

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SECTION 2333

440.08 (2) (a) 70. Veterinarian: ~~January 1~~ December 15 of each ~~even-numbered~~ odd-numbered year; \$105.

***-0558/P1.47* SECTION 2334.** 440.08 (2) (a) 71. of the statutes is amended to read:

440.08 (2) (a) 71. Veterinary technician: ~~January 1~~ December 15 of each even-numbered odd-numbered year; \$58.

***-0347/2.19* SECTION 2336.** Subchapter VI of chapter 440 [precedes 440.70]
of the statutes is created to read:

CHAPTER 440

SUBCHAPTER VI

SANITARLANS

***b0055/2.7* SECTION 2336m.** 440.70 (6) of the statutes is created to read:

440.70 (6) APPLICATIONS. An application for a sanitarian registration under this section shall be made on a form provided by the department and filed with the department and shall be accompanied by the fee specified in s. 440.05 (1). The renewal date and renewal fee for a sanitarian registration are specified under s.440.08 (2) (a).

***-0347/2.20* SECTION 2337.** 440.70 (9) of the statutes is created to read:

440.70 (9) **FORFEITURE.** In addition to or in lieu of a reprimand or a denial, limitation, suspension, or revocation of a registration under sub. (8), the department may assess against any person a forfeiture of not less than \$100 nor more than \$1,000 for each violation under sub. (8).

***b0085/P1.3* SECTION 2337m.** 440.992 (1) of the statutes is amended to read:

440.992 (1) Except as otherwise provided in sub. (2), the department shall issue a certificate of registration to an individual who complies with s. 440.9915 (1) or

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SECTION 2337m

1 whose application has been accepted under s. 440.9915 (2), if the individual has paid
2 the fees specified in s. 440.9935 fee specified in s. 440.05 (1) (a).

3 *b0085/P1.3* SECTION 2337p. 440.9935 of the statutes is amended to read:

4 **440.9935 Registration and renewal fees Renewal.** An application for
5 registration ~~must be accompanied by a processing fee in an amount established in~~
6 ~~rules promulgated by the department. If the department determines to issue a~~
7 ~~certificate of registration to an applicant, the department shall require the applicant~~
8 ~~to pay a fee for issuing the certificate in an amount established in rules promulgated~~
9 ~~by the department. The renewal dates date and fee for certificates of registration~~
10 ~~issued under this subchapter are specified in s. 440.08 (2) (a). Renewal applications~~
11 ~~shall be submitted to the department on a form provided by the department and shall~~
12 ~~include a fee in an amount established in rules promulgated by the department,~~
13 ~~except that for the first renewal after a certificate of registration is issued, the~~
14 ~~department shall prorate the fee based on the length of time between between~~
15 ~~issuance and renewal. The amounts established in the rules promulgated under this~~
16 ~~section shall be based on the department's administrative and enforcement costs~~
17 ~~attributable to processing applications and regulating athlete agents.~~

18 *b0119/3.2* SECTION 2337g. 446.02 (2) (c) of the statutes is created to read:

19 446.02 (2) (c) The examining board shall issue a certificate to a chiropractor
20 who is licensed under this chapter, who submits satisfactory evidence that the
21 chiropractor has completed 48 hours of postgraduate study in nutrition that is
22 approved by the examining board, and who pays a one-time certification fee of \$25.

23 *b0119/3.2* SECTION 2337r. 446.02 (6m) of the statutes is created to read:

24 446.02 (6m) No chiropractor may provide counsel, direction, guidance, advice,
25 or a recommendation to a patient regarding the health effects of vitamins, herbs, or

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SECTION 2337r

1 nutritional supplements unless the chiropractor has been issued a certificate under
2 sub. (2) (c). This subsection does not apply to a chiropractor licensed under this
3 chapter who is certified as a dietician under subch. V of ch. 448.

4 ***b0120/3.7* SECTION 2337b.** 440.90 (1) of the statutes is renumbered 440.90
5 (1c).

6 ***b0120/3.7* SECTION 2337c.** 440.90 (1b) of the statutes is created to read:
7 440.90 (1b) "Board" means the cemetery board.

8 *delete extra space*
9 ***b0120/3.7* SECTION 2337d.** 440.90 (4m) of the statutes is created to read:
10 440.90 (4m) "Licensed cemetery authority" means a cemetery authority that
11 is licensed under s. 440.91 (1).

12 ***b0120/3.7* SECTION 2337e.** 440.90 (4r) of the statutes is created to read:
13 440.90 (4r) "Licensee" means a person licensed under this subchapter.

14 ***b0120/3.7* SECTION 2337g.** 440.905 of the statutes is created to read:

15 **440.905 General duties and powers of board.** (1) In addition to the other
16 duties and powers of the board under this subchapter, the board shall advise the
17 secretary of regulation and licensing on matters relating to cemeteries, to this
18 chapter, or to the board.

19 (2) The board has rule-making authority and may promulgate rules relating
20 to the regulation of cemetery authorities, cemetery salespersons, and cemetery
21 preneed sellers.

22 ***b0120/3.7* SECTION 2337h.** 440.91 (1) of the statutes is renumbered 440.91
23 (1) (a) and amended to read:

24 440.91 (1) (a) ~~Except as provided in sub. (6m), every~~ Any cemetery authority
25 that operates a cemetery that is 5 acres or more in size, that sells or solicits the sale

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SECTION 2337h

1 of a total of 10 20 or more cemetery lots or mausoleum spaces at a cemetery during
2 a calendar year and ~~that pays any commission or other compensation to any person~~
3 ~~for selling or soliciting the sale of its cemetery lots or mausoleum spaces shall register~~
4 ~~with, or that has \$100,000 or more in preneed trust fund accounts for a cemetery~~
5 ~~shall apply to the department. The registration shall be in writing and shall include~~
6 ~~the names of the officers of the cemetery authority board for a license for that~~
7 ~~cemetery. A cemetery authority that operates more than one cemetery shall apply~~
8 ~~for a separate license for each cemetery that is 5 acres or more in size and for each~~
9 ~~cemetery at which it sells 20 or more burial spaces or at which it has \$100,000 or more~~
10 ~~in preneed trust fund accounts.~~

11 *b0120/3.7* SECTION 2337i. 440.91 (1) (b) and (c) of the statutes are created
12 to read:

13 440.91 (1) (b) The board shall grant a license to a cemetery authority if all of
14 the following are satisfied:

15 1. The cemetery authority submits an application for the license to the board
16 on a form provided by the board. The application shall require the cemetery
17 authority to provide the names of the officers of the cemetery authority and to
18 identify a business representative who is primarily responsible for the cemetery
19 authority's compliance with subch. II of ch. 157 and this subchapter.

20 2. The cemetery authority pays the fee specified in s. 440.05 (1).

21 (c) 1. The renewal dates and renewal fees for licenses granted under par. (b) are
22 specified in s. 440.08 (2) (a), except that a licensed cemetery authority is not required
23 to renew its license if the cemetery authority sells less than 20 cemetery lots or
24 mausoleum spaces at a cemetery during a calendar year, or that has less than
25 \$100,000 in preneed trust fund accounts for a cemetery.

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SECTION 2337i

1 2. A licensed cemetery authority that is not required to renew its license under
2 subd. 1. shall renew the license if, during a period of 2 consecutive calendar years
3 that is subsequent to the period specified in subd. 1., the cemetery authority sells 20
4 or more cemetery lots or mausoleum spaces for a cemetery or has \$100,000 or more
5 in preneed trust fund accounts for a cemetery.

6 ***b0120/3.7* SECTION 2337k.** 440.91 (2) (intro.) of the statutes is amended to
7 read:

8 440.91 (2) (intro.) Except as provided in subs. (7) and sub. (10), every individual
9 who person that sells or solicits the sale of, or who that expects to sell or solicit the
10 sale of, a total of 10 20 or more cemetery lots or mausoleum spaces per year during
11 ~~a 2 consecutive~~ calendar year years shall register with be licensed by the
12 department. ~~An individual board.~~ A person may not be registered licensed as a
13 cemetery salesperson except upon the written request of a cemetery authority and
14 the payment of the fee specified in s. 440.05 (1). The cemetery authority shall certify
15 in writing to the department board that the individual person is competent to act as
16 a cemetery salesperson. ~~Within 10 days after the certification of any cemetery~~
17 salesperson, the cemetery salesperson shall verify and An applicant for licensure as
18 a cemetery salesperson shall furnish to the department board, in such form as the
19 department board prescribes, all of the following information:

20 ***b0120/3.7* SECTION 2337L.** 440.91 (2) (a) of the statutes is repealed and
21 recreated to read:

22 440.91 (2) (a) The name and address of the applicant and, if the applicant is
23 a business entity, the name and address of each business representative.

24 ***b0120/3.7* SECTION 2337m.** 440.91 (6m) of the statutes is amended to read:

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SECTION 2337m

1 440.91 (6m) A cemetery authority of a cemetery organized, maintained and
2 operated by a town, village, city, church, synagogue or mosque, religious, fraternal
3 or benevolent society or incorporated college of a religious order is not required to be
4 registered licensed under sub. (1).

5 ***b0120/3.7* SECTION 2337n.** 440.91 (7) of the statutes is amended to read:

6 440.91 (7) An individual who solicits the sale of cemetery lots or mausoleum
7 spaces in a cemetery organized, maintained and operated by a town, village, city,
8 church, synagogue or mosque, religious, fraternal or benevolent society or
9 incorporated college of a religious order is not required to be registered licensed
10 under sub. (2).

11 ***b0120/3.7* SECTION 2337p.** 440.91 (9) of the statutes is amended to read:

12 440.91 (9) No cemetery authority or cemetery salesperson registered licensed
13 under sub. (1) or (2) may pay a fee or commission as compensation for a referral or
14 as a finder's fee relating to the sale of a ~~cemetery lot~~, cemetery merchandise or
15 mausoleum a burial space to any person who is not registered licensed under sub. (1)
16 or (2) or who is not regularly and lawfully engaged in the sale of ~~cemetery lots~~,
17 cemetery merchandise or ~~mausoleum~~ burial spaces in another state or territory of
18 the United States or a foreign country.

19 ***b0120/3.7* SECTION 2337q.** 440.91 (10) of the statutes is amended to read:

20 440.91 (10) Nothing in this section requires an individual who is registered
21 licensed as a preneed seller under s. 440.92 (1) to be registered licensed as a cemetery
22 salesperson under sub. (2) if the individual only sells or solicits the sale of cemetery
23 merchandise or undeveloped spaces under preneed sales contracts.

24 ***b0120/3.7* SECTION 2337r.** 440.92 (1) (title) of the statutes is repealed and
25 recreated to read: